



Town of Arlington, Massachusetts
730 Massachusetts Ave., Arlington, MA 02476
Phone: 781-316-3000

webmaster@town.arlington.ma.us

Redevelopment Board Minutes 12/07/2009

Minutes of Monday, December 7, 2009
 Approved December 21, 2009

Second Floor Conference Room, Town Hall

Members Present:
 Andrew West, Chair
 Roland Chaput
 Bruce Fitzsimmons
 Chris Loreti
 Ed Tsoi

Also Present:

Brian Sullivan, Town Manager, Kevin O'Brien, former Director of Planning & Community Development, Carol Kowalski, Director of Planning & Community Development, Joey Glushko, Planner, Laura Wiener, Senior Planning/Housing Director, David Levy, Executive Director, Housing Corporation of Arlington. Tom O'Brien, JPI, joined the meeting later.

Mr. West convened the meeting at 7:00pm.

Mr. West reviewed with the Board a draft letter from the Board to PNC Bank that he prepared with input from Kevin O'Brien and others summarizing the key terms and conditions of the Symmes Land Disposition Agreement and Special Permit. The Board provided edits and Mr. Loreti and Mr. Fitzsimmons read their detailed revisions which they would also provide by electronic mail.

Mr. West asked Mr. Sullivan and Mr. K. O'Brien to summarize a November 19 meeting with JPI and PNC Bank, noting that the Bank representative said very little during the meeting. Mr. K. O'Brien said that JPI asked several "what if" questions regarding the profit-sharing, dates of performance, affordable units, back taxes, building permit fees and site security. In response to a question from Mr. Loreti, Mr. K. O'Brien replied that bidders are going through JPI, and that they expect to present one developer to the Town. Mr. West asked if the Board was limiting itself by going through JPI. Mr. K. O'Brien responded that the Board's planned correspondence to PNC Bank is intended to be proactive, and that it could be provided to other prospective developers. Mr. Sullivan said that his impression was that the bank is pushing JPI. Mr. West thanked Mr. Sullivan and Mr. K. O'Brien and asked for future updates to the Board.

Andrew Thompson appeared for the continued hearing for antenna equipment at 4 Winslow Street. The applicant agreed to place the antennae bracketing inside the concrete wall, not on it. Mr. Thompson agreed to this. Mr. Loreti asked that the concrete-colored screen return at the sides to better hide the equipment from view. Mr. Thompson agreed.

Peter Szerlag, 4 Winslow Street asked if a health register could be maintained to keep track of the health of residents in the building. Mr. Chaput replied that it was probably beyond the scope of what the Federal Communications Commission requires, but that any citizen could ask. Mr. Szerlag questioned whether they would be responsive to a citizen request for the FCC to monitor the safety and health issues. Mr. Chaput responded that from his experience, they are responsive. Mr. Szerlag asked if the antennae could be lowered, and whether they were proposed for the penthouse or the structure. Mr. Thompson replied that they would go on the structure. Mr. Loreti moved approval subject to the condition that the height of the screens and antennae not exceed 4'2" above the existing concrete parapet and that screening fully wraps and returns to align with the back edge of the parapet, and the color of the screening matches the concrete of the parapet to the satisfaction of the Director of Planning and that all fastening and brackets be fully concealed. Mr. Fitzsimmons seconded and the application was approved 5-0-0.

Ms. Kowalski explained that David Levy of Housing Corporation of Arlington was interested in additional space at the Central School adjacent to HCA's current office in the ground floor of the Central School. She explained that the Finance Committee office had been moved from an upper floor recently to space in the ground level of the building, to accommodate additional staff in the Weatherization program, and that HCA was interested in the adjacent ground floor space. Ms. Kowalski noted that two recent bid requests had yielded no paying tenant. She suggested to the board and to HCA that since it would be appropriate to have all the tenants pay operating costs, HCA be charged the operating costs for their existing space and the new space, in addition to their existing rent, in lieu of additional rent on the additional space. Mr. K. O'Brien stated that operating costs are currently charged as a percentage of the square footage. Mr. Levy stated that their rent would increase by 30% with operating costs. Mr. Loreti questioned whether the existing rental space must go out to bid when the lease expires in June. Ms. Kowalski commented that the space is not competitive with other vacant office space because of impacts of the buildings' other uses. She opined that it was advantageous to maintain an existing paying tenant. Mr. Fitzsimmons commented that the Board members must know whether the existing lease is subject to extensions. Mr. Loreti was interested to know the Town's exposure and costs as Mr. Levy was requesting that the Town "build the box", as had been suggested to him by staff. Mr. Levy stated that he was willing to negotiate those costs, and asked the board to acknowledge that HCA provides a valued benefit to the Town. Mr. West asked Ms. Kowalski to provide more information on the costs to the Town, and the terms of the current lease relating to extensions, and that the matter be placed on the December 21 agenda. On a question regarding the Finance Committee's space, Mr. K. O'Brien commented that the Finance Committee requires locked storage space.

Tom O'Brien of JPI arrived to the meeting and Mr. West informed him of the letter from the Board to PNC Bank. Mr. T. O'Brien reported that they had received formal offers from two groups, one proposing 120-140 townhouses and less density, without need of a parking structure. Mr. T. O'Brien said that no one foresees a medical user for the site, and one group would propose more townhouses instead. Mr. T. O'Brien responded to Mr. Loreti's question of whether Jake Upton had submitted an offer, saying that they had spoken but no offer had been received. Mr. T. O'Brien stated that there is a rolling deadline for offers. Mr. K. O'Brien advised that not extending the building permit and MOB deadlines would add another non-compliance whereas extending them allows continued interest. He also stated that if the Town started the process to take back the MOB site, a penalty would be due from JPI. Mr. Loreti noted that this penalty could be deferred along with the other payments owed by Symmes Redevelopment Associates.

After further discussion, Mr. Fitzsimmons moved that the ARB authorize Ms. Kowalski to issue a letter to Symmes Redevelopment Associates extending the cutoff deadline for applying for building permits and for returning the Medical Office Building site to the Town, set forth in the Land Disposition Agreement for the Symmes property, through January 15, 2010. Mr. Loreti seconded and the motion was approved 5-0-0.

The Board then discussed the draft Board of Survey Regulations. Ms. Kowalski would send an electronic version to the Board that included Mr. Loreti's revisions and comments. Mr. West asked that the Board return their comments to Ms. Kowalski by December 14. A month-long public comment period would lead to a public hearing on Monday February 8, 2010.

The Board reviewed the tracking report. The Board agreed that election of officers would be held January 4, 2010.

Members asked for copies of the presentation by parking consultant Andy Hill of Walker Associates, and that Ms. Kowalski document the Board's reservations on the report.

The meeting adjourned at 10:12pm

Respectfully submitted,
 Carol Kowalski
 Secretary ex Officio

